

Joseph R. Saveri (State Bar No. 130064)  
 Eric B. Fastiff (State Bar No. 182260)  
 Brendan Glackin (State Bar No. 199643)  
 Dean Harvey (State Bar No. 250298)  
 Anne B. Shaver (State Bar No. 255928)  
 Katherine M. Lehe (State Bar No. 273472)  
 LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP  
 275 Battery Street, 29th Floor  
 San Francisco, CA 94111-3339  
 Telephone: (415) 956-1000  
 Facsimile: (415) 956-1008

Attorneys for Individual and Representative Plaintiffs  
 Siddharth Hariharan, Brandon Marshall, Michael Devine,  
 Mark Fichtner, and Daniel Stover

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SIDDHARTH HARIHARAN,  
 individually and on behalf of all others  
 similarly situated,

Plaintiff,

v.

ADOBE SYSTEMS INC., *et al.*,

Defendants.

Case No. C 11-2509 SBA

**DECLARATION OF ERIC B. FASTIFF IN  
 SUPPORT OF PLAINTIFFS' UNOPPOSED  
 ADMINISTRATIVE MOTION TO  
 TRANSFER ACTIONS TO THE SAN JOSE  
 DIVISION**

BRANDON MARSHALL, individually  
 and on behalf of all others similarly  
 situated,

Plaintiff,

v.

ADOBE SYSTEMS INC., *et al.*,

Defendants.

Case No. C 11-3538 SBA

*[Caption continued next page]*

MICHAEL DEVINE, individually and on  
behalf of all others similarly situated,  
  
Plaintiff,  
  
v.  
  
ADOBE SYSTEMS INC., *et al.*,  
  
Defendants.

Case No. C 11-3539 SBA

MARK FICHTNER, individually and on  
behalf of all others similarly situated,  
  
Plaintiff,  
  
v.  
  
ADOBE SYSTEMS INC., *et al.*,  
  
Defendants.

Case No. C 11-3540 SBA

DANIEL STOVER, individually and on  
behalf of all others similarly situated,  
  
Plaintiff,  
  
v.  
  
ADOBE SYSTEMS INC., *et al.*,  
  
Defendants.

Case No. C 11-3541 SBA

I, Eric B. Fastiff, declare:

1. I am a member in good standing of the State Bar of California and am admitted to practice in United States District Court for the Northern District of California. I am a partner with the law firm of Lieff, Cabraser, Heimann & Bernstein, LLP, attorneys for Plaintiffs Siddharth Hariharan, Brandon Marshall, Michael Devine, Mark Fichtner, and Daniel Stover in the above-captioned actions. I submit this Declaration in Support of Plaintiffs' Unopposed Administrative Motion To Transfer Actions to the San Jose Division. I have personal knowledge of the facts set forth in this Declaration. If called as a witness, I could and would testify competently to them.

2. On August 1, 2011, I conferred with Michael Tubach, counsel for Defendant Apple Inc., regarding transfer of the five above-captioned actions to the San Jose Division of the Northern District of California. Mr. Tubach, speaking on behalf of all Defendants, said that

1 Defendants do not oppose Plaintiffs' administrative motion to transfer the five actions. Pursuant  
2 to Local Rule 7-11(a), I asked whether Defendants would stipulate to transfer. Mr. Tubach  
3 informed me that, while Defendants would not stipulate, they will file a notice of non-opposition  
4 to Plaintiffs' administrative motion.

5 I declare under penalty of perjury under the laws of the United States of America that the  
6 foregoing is true and correct. Executed on August 2, 2011, in San Francisco, California.

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8 /s/ Eric B. Fastiff

9 ERIC B. FASTIFF  
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